



CITY OF TUCSON



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NEWS RELEASE

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OCCUPY TUCSON REMOVAL FROM DE ANZA PARK AREA

On February 2, 2012, the Occupy Tucson Movement set up its third encampment in the area of De Anza Park, located at 1000 North Stone Avenue. The City of Tucson Police Department noted a dramatic increase in calls for service in the De Anza Park area since the encampment at this location began. Violence has occurred in the encampment resulting in at least four Orders of Protection on campers by other campers. In addition, the City of Tucson has received many complaints from surrounding businesses and residents. The City Attorney determined that based on the facts described above, the campers are in violation of Tucson Code and State Law.

On the morning of February 29, 2012, at approximately 9:30 a.m., personnel from the Tucson Police Department met with members of the Occupy Tucson Movement, who were encamped in a right-of-way area adjacent to De Anza Park. The right-of-way area is a dirt easement that sits in between the park boundaries and the sidewalk on the western side of De Anza Park. It is owned by the City of Tucson. The purpose of the meeting was to advise the demonstrators that they were required to vacate the right-of-way area within approximately 24 hours. They were also advised that they would need to remove all of their items from the area in that time frame. At approximately 9:50 a.m. on March 1, 2012 officers from the Tucson Police Department responded to the right-of-way area in order to initiate the removal of demonstrators associated with the Occupy Tucson Movement and their belongings from the right-of-way area. In addition to uniformed police personnel, Police Evidence Technicians responded as well in order to facilitate quick packaging and processing of items taken from the right-of-way area. Police videographers and photographers were also on scene to obtain video and photographic documentation of the actions of both police personnel and demonstrators during the course of the removal.

A total of **21 individuals** were arrested during the course of the removal. All of those arrested were adults. Each was charged with violating **Tucson City Code 16-35 – Obstructing Streets, Alleys, or Sidewalks Prohibited, a misdemeanor offense**. In addition, one adult male was also charged with the misdemeanor offenses of **Arizona Revised Statutes of 13-2402 (Obstructing Governmental Operations) and 13-2508 (Resisting Arrest)**. Most of the individuals that were arrested were transported to either the Westside Police Service Center or the Hardesty Midtown Police Substation for processing prior to being transported and booked into the Pima County Jail. **One adult female was cited and released for a violation of Tucson City Code 20-92 – Prohibited Crossings (also known as “Jaywalking”), a civil violation**. The minimum amount of force necessary to make an arrest was used in all instances. Most of the individuals that were arrested cooperated fully with the officers that were arresting them. However, a small number of

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individuals were non-compliant, using passive or defensive resistance in an effort to make it more difficult for officers to arrest them. Passive resistance can generally be described as “going limp,” thereby causing an officer to have to lift or hold a person up to place them into handcuffs. Defensive resistance in this instance included making one’s limbs taut in an effort to prevent an officer from placing handcuffs on them. Officers were able to overcome their resistance without having to use any additional force to make the arrest. They were taken into custody without further incident.

The items belonging to the arrested demonstrators that were removed from the right-of-way area will remain in the custody of the Tucson Police Department Evidence Section as evidence. Other items located in the right-of-way area, whose owners could not be identified or were not present, were taken for purposes of safekeeping and will be retained by the Department Evidence Section as found property.

The Tucson Police Department is committed to protecting the rights of all citizens to engage in constitutionally assured activities, to include freedom of speech and peaceful assembly. The Department will continue to adhere to this tenet, while also fulfilling our mission of protecting life and property through the unbiased and equal application of State and local laws and ordinances.

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